

# THE NEWS OF NORFOLK ON PAGES TWO, THREE, FIVE AND SIX.

## ROYAL BAKING POWDER

ABSOLUTELY PURE

Makes the food more delicious and wholesome

### COURT DECISIONS.

Notes of Cases Recently Decided, Which are of Interest to Our People.

DIGESTED BY W. B. MARTIN.  
(Exclusively for Virginian-Pilot.)

ROSS V. N. Y. LIFE INS. CO.  
Supreme Court of North Carolina.  
April 11, 1899.

WHERE AN APPLICATION FOR A POLICY PROVIDING THAT THE COMPANY WAS NOT TO BE LIABLE UNTIL ITS APPROVAL, ISSUE OF POLICY AND PAYMENT OF PREMIUM WHILE APPLICANT WAS IN GOOD HEALTH, WAS SENT TO THE COMPANY WITH A NOTE FOR THE PREMIUM, AND COMPANY RETAINED APPLICATION AND NOTE WITHOUT ACTION FOR OVER TWO MONTHS, WHEN APPLICANT DIED, THERE WAS NO CONTRACT OF INSURANCE.

The court says: Plaintiff's intestate, on September 27, 1895, made application for life insurance with defendant's agent, and gave his note for the first payment. The application and note, which was accepted as cash, were forwarded to the home office. The application contained this statement: "That the company shall incur no liability under this application, until it has been received, approved, the policy issued thereon by the company at the home office, and the premium has been actually paid to and accepted by the company or its authorized agent during my lifetime and good health." Plaintiff's intestate became sick (th fever in November and died on December 15, 1895. The application was not accepted, no policy issued, nor was the first payment made. On the next January, the defendant tendered the note to plaintiff, who refused to receive it, and, after its maturity, demanded the payment of the policy. When plaintiff refused, his honor, on motion, held that plaintiff could not recover, and ordered a non-suit. There was no error. As the facts were undisputed, there was nothing for the jury. The minds of the intestate and defendant never met. Even long delay by the defendant could not presume an acceptance. The natural and legal inference is to the contrary. Affirmed.

### SPEAR V. STATE.

Supreme Court of Alabama,  
January 19, 1899.

AN OFFICER CHARGED WITH EXECUTION OF PROCESS MUST EXECUTE IT, UNLESS IT IS VOID ON ITS FACE OR THE COURT ISSUING IT HAS NO JURISDICTION. AN ACCUSED CANNOT JUSTIFY RESISTING ARREST BECAUSE HIS INITIALS, AND NOT ITS FULL CHRISTIAN NAME, WERE GIVEN IN THE PROCESS.

Spear was convicted of resisting the execution of a writ of arrest and appealed. Two deputy sheriffs went to his house to arrest him and thereupon he presented his pistol at them and demanded that they leave his house. They had a writ of arrest against him. Spear was indicted for carrying a concealed pistol.

The only question raised and insisted upon in argument by appellant's counsel is that the writ of arrest, undertaken to be executed by the officers upon the defendant was void. It can now be regarded as the settled law of this State that an officer charged with the duty of executing process is bound to do so unless the process is void upon its face, or the court issuing it is without jurisdiction. The officer, in discharging this duty, is not bound to inform himself of irregularities in the indictment or other initial proceedings, made the basis for the issuing of the writ. "As a general proposition, it may be stated that the officer is justified in the execution of the process when it proceeds from a court or magistrate having jurisdiction to issue it, unless invalidity appears on its face. He is not bound, and has no authority, to inquire the regularity or legality in the proceeding prior to its issue."

The contention that the writ designated the defendant as G. Spear, instead of setting out his full Christian name, is without merit. This might have been a good ground for a plea in abatement to the indictment, but, without that plea, if defendant had gone to trial, the conviction would have been legal. It not infrequently happens that an offense is committed and an indictment is preferred against an offender whose name is entirely unknown, and therefore not alleged in the indictment. In such a case the warrant or writ of arrest would contain no name at all, but only such a description of the person charged that would enable the officer executing the writ to sufficiently identify him for the purpose of making the arrest. Any other rule would license strangers, whose names were unknown, to commit crimes, and if apprehended in them, legalize their resistance of the officers of the law charged with the duty of enforcing the law, and impose upon the officer the burden of knowing before undertaking the arrest, that the true name of the offender is correctly stated in the warrant. Should he be misinformed in this respect, and notwithstanding he may know that the person upon whom he is undertaking to execute the writ is the person wanted, yet, forsooth, because the warrant designated such offender by his initials, he has a right to resist the officer. This appears from the testimony of the defendant to be this case, at least so far as his being the person intended to be named in the warrant. It finds no

lodgment in any of the adjudications of this court, or in sound reasoning and logic. Judgment affirmed.

### BRIEF ITEMS OF INTEREST.

Mrs. Robert Marcus, of Hampton, and her guest, Miss Roy Springer, of New York, were entertained yesterday by Mrs. Sidney Leon Nussbaum, of this city.

Mr. John Skelton Williams and family, of Richmond, are stopping at Ocean View for a while.

The Sunshine Circle of the King's Daughters will meet, with Mrs. Chapman this afternoon at 5 o'clock.

Colonel Wm. Lamb is a guest at the Hotel Lafayette, Philadelphia.

Mr. A. Clay, of the dry goods firm of Wall, Ritten & Clay, has gone to Baltimore.

Mr. John B. Loughran and family are summering at their cottage, Ocean View.

A new schedule goes into effect on the Chesapeake and Ohio Railway on Sunday, June 18th.

One of the prettiest bridal bouquets seen in Norfolk this year, was that gained by Miss Maud Vellins yesterday at her wedding at St. Mary's Church. It was a shower bouquet composed of bride's roses, swansons and maiden hair fern.

A colored cook, named Eva Wagner, employed in a boarding house in the West End, dropped dead Wednesday night while freezing ice-cream. Apoplexy was pronounced to be the cause of her death. An inquest was not deemed necessary.

Mr. F. H. Cunningham is registered at the Atlantic Hotel.

### BRAMBLETON WARD.

Mr. Thos. Townsend, of North Park avenue, received a telegram last evening announcing the death of his brother, Mr. John Townsend, at his home, Orchard Park, ten miles from Buffalo, N. Y., after an illness of several months, aged 73 years. The deceased was a man of prominence in his section, and was the oldest of fifteen children. Mr. Townsend left via the Atlantic Coast Line last night to attend the funeral, which takes place at the old home on Saturday afternoon. The deceased leaves a widow and five children, three sons and two daughters.

The Busy Bees, of Spurgeon Memorial Baptist Church, will meet at the home of Miss Holland, on Charles street, at 8 o'clock to-night.

The Inasmuch Circle of the King's Daughters met at the home of Mrs. Elmo Phillips, on Willoughby avenue, yesterday afternoon, but transacted only routine business.

There is much sickness prevailing among young children in the ward.

The lawn party given near the Broad Creek toll bridge for the past two nights to raise funds to aid in building an undenominational church in Brambleton, has met with a decided success. It will be continue to-night.

### ATLANTIC CITY WARD.

Mr. George H. Parker, who was painfully hurt Tuesday night by falling down the hatchway of the steamer Conkey, of the Merritt-Chapman Wrecking Company, was resting comfortably last night. His injuries are not as serious as was at first thought.

The Woman's Christian Temperance Union will hold a lawn party Monday and Tuesday nights of next week on Coley, between A and B avenues.

The lawn party given last night on the green of Mr. Burt's home, on North Coley avenue, by the Library Committee of LeKies Memorial Methodist Church, was a success.

Miss Annie Smith, of Staten Island, is visiting her aunt, Mrs. William Griffin, of Poole street.

### A Distressing Accident.

Yesterday afternoon, while Judge Allen R. Hanchel, of the Corporation Court, and Mrs. Hanchel were driving out in a car, a wheel of the vehicle caught in the street-car rail at the corner of Botetourt and York streets, throwing Mrs. Hanchel from the seat and painfully injuring one of her hands and wrist. She was immediately taken home by the judge and medical aid summoned. Her escape from serious injury was very narrow.

Farnsworth Wanted in Washington

William Farnsworth, alias William Johnson, who was arrested in this city a few weeks ago on advice that he was wanted in Washington to answer the charge of embezzlement, will be taken to that city to-night by Deputy U. S. Marshal West. There is a charge pending here against Farnsworth, of working a "confidence game" on a young man here, but the charge has not been pressed.

Reunion of Rough Riders.

The "Rough Riders" who won imperishable renown for themselves, and the government of New York, for their leader, Col. Teddy Roosevelt, will hold a reunion at Las Vegas, New Mexico, beginning on the 24th instant. Mr. B. L. Christian, of this city, who was with the regiment in its Cuban campaign, will attend.

Summer Excursion Tickets.

Are on sale at all points reached via Washington and Baltimore, and the Baltimore and Ohio Railroad (Royal Blue Line). For rates and full information apply to

S. P. A. BALT. & OHIO R. R., Under Atlantic Hotel, Norfolk, Va. jet-eod-10t

## BIG RAILROAD DEAL

Mr. John Skelton Williams Engineering a Great Movement.

The S. A. L., including the R. P. & C., Georgia and Alabama, and F. C. & P.

System About to Join Hands—President Williams Talks.

The Richmond Times of yesterday publishes the following:

"It is understood that a deal is now in progress and will probably be completed by the 1st of July, which will cause a revolution in the railroad world.

"It is said that three systems are to be consolidated; namely, the Seaboard Air Line, including the Richmond, Petersburg and Carolina (which is a portion of the Seaboard Air Line), the Georgia and Alabama and the Florida Central and Peninsula railways.

"Mr. John Skelton Williams, of this city, is at the head of the syndicate that controls these lines, and it is said that it is his hand which is engineering the great movement which will result in giving the Southern railway a formidable competitor.

### GENERAL SHAKING UP.

"The consolidation of these lines, if effected, will doubtless cause a flurry in railroad official circles, for, it is said, quite a number of changes will be made, and that some heads will necessarily fall, in the shaking up, which must attend such a consolidation, it is impossible to predict with any certainty to whose lot the important offices, such as general passenger agent, general freight agent and others would fall.

"The main division of the Seaboard Air Line runs from Portsmouth, Va., which is its deep-water terminus, to Atlanta, Ga. The Richmond, Petersburg and Carolina, as has been stated, is a portion of the system, and work upon it is progressing rapidly.

"As soon as the latter line is completed from Ridgeway, N. C., to Richmond, and traffic arrangements with the Richmond, Fredericksburg and Potomac and connecting lines have been completed, a direct route from Atlanta to New York will have been established. The Seaboard Air Line also has a branch running from Wilmington, N. C., to Rutherfordton, N. C., passing through Raleigh and Charlotte, known as the Carolina Central. The country through which it passes is well settled and productive.

GEORGIA AND ALABAMA ROUTE

"The Georgia and Alabama, which has made great strides under its present management, runs from Savannah, Ga., through a rich cotton belt. It will prove a paying portion of the great system.

"The Florida Central and Peninsula runs from Columbia, S. C., through Savannah, Ga., to Jacksonville. The Seaboard Air Line is arranging to build a link from Cheraw, S. C., to Columbia, S. C., thus connecting the S. A. L. with the Florida Central and thereby securing a through route from New York to Jacksonville in competition with the Southern railway.

"The Georgia and Alabama are now, it is said, perfecting traffic arrangements whereby Birmingham, Ala., will be made to secure connection with Memphis, Tenn., and Kansas City, Mo.

"The above lines, the consolidation of which now seems so near at hand, are controlled by Richmond, New York and Baltimore capital. The members of the syndicate are all active and progressive, and the linking of the proposed movement has aroused great interest among railroad men."

### WHAT MR. WILLIAMS SAYS.

New York, June 14.—Mr. John Skelton Williams, president of the Seaboard Air Line, and the head of the syndicate which has acquired the Florida Central and Peninsula, strenuously denies the report that the property has been sold to the Plant Line. Speaking of the developments to the property, Mr. Williams says:

"Work is progressing rapidly on the line between Richmond and Ridgeway, and the contract for the line between Cheraw and Camden, S. C., will probably be let within the next week.

"While it may yet be some little time before the actual consolidation of the Seaboard Air Line, the Florida Central and Peninsula and the Georgia and Alabama, we expect by the first of July to have the three roads working for their common interests. The three systems will be represented by consolidation agencies at all of the most important points."

### Words of Commendation.

Attention is directed to the advertisement of Dr. L. B. Firey, the well-known specialist, in the treatment of diseases of the throat, nose, eyes, ears, chest, etc. He publishes a letter from Rev. A. H. Way, who has known him well and favorably for several years, and was treated by Dr. Firey for catarrh. It will rejoice sufferers with any of the diseases Dr. Firey treats to consult his advertisement.

### Change of Schedule.

Attention is called to a change of the Chesapeake & Ohio Railway schedule, to take effect next Sunday. These changes are important and it would be well for our readers to make a note of them, so as to avoid the risk of disappointment which they may otherwise run.

### The Oliver yowwetter.

Unexcelled for simplicity, durability, ease of operation and speed—visible writing. Demonstration in lobby of Monticello Hotel to-day, of interest to all type-writer owners and operators. July-1t

Change of C. & O. Schedule, Sunday June 18th.

The morning train will, on and after June 18th, leave Portsmouth at 6:40. Norfolk 7:00, connecting at Richmond for all Virginia resorts east of Clifton Forge, Va. This train will carry parlor car Old Point to Clifton Forge. Connection will also be made at Richmond with the James river division of the C. & O. Railway for Lynchburg, Lexington, Va., and Natural Bridge, etc. The afternoon train will leave at 3:30, as at present. July-2t

## Notes of Real Estate Yesterday.

Townsend & Joyner, real estate agents and auctioneers, sold yesterday, at the Real Estate Exchange, 59 lots in Brambleton Ward, as follows:

Lots Nos. 14, 61 and 58, to Luther Sheldon, for \$270, \$120 and \$85; total, \$475.

Nos. 21, 27 and 28, J. Sidney Smith, for \$235, \$235 and \$215; total, \$685.

Nos. 18 and 39, C. L. Nash, for \$380 and \$130; total, \$510.

No. 25, to J. Kate Smith, \$240.

No. 15, Judge Edward Spaulding, \$270.

No. 60, J. L. Williams, \$170.

Nos. 47 to 57, inclusive, F. M. Smith, \$429.

Nos. 38 and 39, George W. Dey, \$155 and \$175; total, \$330.

No. 40, E. C. Foreman, \$175.

No. 45, W. J. Mason, \$150.

Several lots on Ohio street and Polard avenue, Alex. Hofheimer, \$120.

Grand total, \$3,650.

### Police Investigating a Death.

An inquest was held yesterday over the body of the female infant found drowned in Smith's Creek. The child was a beautiful white baby and was found wrapped in a bundle of rags. The jury reached a verdict that it came to its death at the hands of unknown parties. The autopsy showed that the child was born alive for the lungs had contained air. The body was given a decent burial, and the police were set to work hunting up the mother.

### Mrs. Mary A. Creel Dead.

Information reached the city last evening of the death of Mrs. Mary A. Creel, mother of the late Captain John E. Creel, of this city, at her home in Wytheville, Va. The deceased was in the 33d year of her age. She was a lady of many excellent traits of character, and well known and highly esteemed by a large circle of friends here, who will learn with sorrow of her demise.

### The Modern Beauty.

Thrives on good food and sunshine, with plenty of exercise in the open air. Her form glows with health and her face blooms with its beauty. If her system needs the cleansing action of a laxative remedy, she uses the gentle and pleasant Syrup of Figs, made by the California Fig Syrup Co. only.

A big line of negligee shirts with prices that will make you a purchaser. RUDOLPH & WALLACE, 333 Main street.

### OTHER LOCAL ON PAGE 6.

## THE Lowenberg Specialty STORE.

**SPECIAL!**  
\$2.50 White P. K. Skirts at \$1.88.

Of excellent quality White P. K., lap seams, double stitched and 10-inch hems—

**SPECIAL, \$1.88**

**MORE OF THOSE Special Crash Skirts at 25 and 50 Cents.**

**BENJ. LOWENBERG, 34 Granby Street.**

**Old Phone 338**

## Ames, Brownley & Hornthal

THE MONTICELLO CORNER.

OUR ENTIRE LINE OF

**Fancy Parasols AT CUT PRICES.**

Those at \$2.50 and \$2.75 go at \$1.93.

Those at \$3.00 go at \$2.25.

Those at \$3.50 go at \$2.75.

Those at \$4.50 go at \$3.75.

Those at \$5.00 go at \$3.40.

Those at \$7.00 go at \$4.98.

Those at \$10.00 go at \$7.50.

Those at \$12.00 go at \$8.98.

## Di-Lu-Lu-Te!

SAVED MY LIFE!

I had indigestion and dyspepsia over two years—thought I would die, so did all my friends—wanted to die to be relieved of my misery. I took 9 bottles of Di-Lu-Lu-Te, and am a well man.

R. W. JAMES, Norfolk, Va. As the pastor of his family, I visited Mr. R. W. James often in his sickness and can testify that his statements concerning his condition and benefits derived from Di-Lu-Lu-Te are correct.

REY. W. H. EDWARDS, Pastor Centenary M. E. Church, Norfolk, Va.

I have used Di-Lu-Lu-Te for severe headache—it gives relief AT ONCE.

MRS. W. V. TUDOR, D. D., For sale by Jerome P. Carr, Portsmouth, Va.; also Burrow, Martin & Co., Holmes and others, Norfolk, Va.

## The Saks Stores

234 MAIN STREET.

## More Sample Straws.

We bespeak these sample lines early in the winter—even before they are made, in fact—and they are delivered whenever the drummers return from the road. This last lot comes from one of the LARGEST and one of the BEST makers—whose hats we buy largely—and whose samples we are always anxious to have—because it means a bargain for you.

Still and soft braids— Plain and Rough Straw— Plain and fancy bands.

All shapes and all sizes— All together on center table—to-day!

## CHOICE 69c.

## Saks & Company

## SUMMER RESORTS. SUMMER RESORTS.

## N. B. JOYNES & CO.

Take pleasure in announcing to the public that they have leased the Bar, Restaurant, Pool Rooms, Baths and Fishing Privileges AT OCEAN VIEW

for the present season, and that they propose conducting the same on a HIGH PLANE. We promise the BEST SERVICE in each of the above departments, and hope to receive the support and encouragement of the public. Our motto will be to please. Each of the above departments will be presided over by competent people, and not only will the best service be given our patrons but the best of order will be preserved as well.

Respectfully,  
my25-su, fr, we-3m N. B. JOYNES & CO.

## Are You GOING AWAY?

For the Summer? If so, go to the popular

## ROCKBRIDGE ALUM SPRINGS

3 Big Hotels, Besides Cottages.

Fifty acres shaded lawn, a paradise for children and lovers of out-door sports. The greatest dyspeptic water known. A positive cure for stomach troubles. For beautiful illustrated catalogue write to

J. E. TAPPEN, Manager. je2-eodlm&ltawlm

## DAGGERS SPRING.

General Wade Hampton's favorite resort is now open for the summer. Sulphur, Iron and Lithia Waters. Highly recommended for stomach, kidney and bladder troubles. Lithia Pool Baths, Riding, Driving, Fishing, Good Music, excellent table fare. Dr. H. Stuart Macdonald, of Richmond, physician for the season. Write for circular and special rates to parties. W. E. MILLER, Daggers, Va. je2-e2w

## Rockingham (Va.) Springs

Health, Rest, Joy, Peace and Plenty abound. \$5 to \$25. Booklets, C. T. HOPKINS & SON, McLeansville, Va. je2-eodlm

## Yellow Sulphur Springs

Montgomery county, Va.; open to visitors June 1, 1899. These springs are situated on the summit of the Alleghany Mountains; the curative properties of the waters are well established and adapted to a wide range of diseases; the accommodations are first-class in every respect; descriptive pamphlet and rates furnished on application. RIDGEWAY HOTEL, Prop. my25-2m

## SWEET CHALYBEATE SPRINGS, ALLEGHANY COUNTY, VA.

This entire property has been purchased by Mr. CARTER BRANTON HUNTER, of West Virginia, who proposes making many improvements and reforming the hotel and cottages throughout. The management of the hotel will be continued under Mr. R. F. EATLE, who has for the past three years operated it so successfully.

These charming springs are situated in a lovely valley, surrounded by the backbone of the Alleghany, at an elevation of 2,000 feet, in the midst of the "Springs Region" of Virginia, and only nine miles from Alleghany Station—the highest point on the Chesapeake and Ohio railway. By actual analysis the best chalybeate water in this country; none better in the world; elegant bath pools, beef and mutton supplied from the finest blue-grass sod. Vegetables in abundance, grown in the garden of this noted property. Rates moderate. For further particulars write to B. F. EATLE, JR., Manager. ap2-4m

## Roanoke Red Sulphur Springs.

30 miles from Salem, Va., opens June 1st, 1899. Elevation 2,200 feet, sulphur, chalybeate, iron, calcium and lithium waters. Reasonable rates. Special attention paid to comfort and pleasure of guests. Write for descriptive pamphlet containing full list of waters, references, and a large illustrated telephone. Rates moderate. J. H. CHAPMAN, Manager. je2-1m

## Crocketts Arsanio Litha Springs and Bath

As a nerve tonic, anti-dyspeptic and restorative these waters and baths are unsurpassed. Relieves nervous prostration, rheumatic, skin and kidney troubles and kindred diseases. Cleans and beautifies the complexion. Dry atmosphere, romantic surroundings, modern conveniences. For booklet, address M. C. THOMAS, Manager, Shilohville, Va. my25-2m

## Alleghany Springs, Va.

Recommended by the Medical Society of Virginia, is celebrated for its cures of dyspepsia, its various forms. Most extended and beautiful grounds in the mountains.

For descriptive pamphlet, terms, testimonials, etc., write to my25-2m C. A. COLHOUN, Prop.

## DR. ANNA GIERING,

Registered Physician  
Private sanitarium of high repute. Vegetable compound for female complaints. \$1.00. Lilly White Regulative Pills. \$2.00. Wives without children consult me. 1001 E. Baltimore st., Baltimore, Md.